

2018-319.E  
283320**Duke, Daphne**

**From:** Dong, Randall  
**Sent:** Wednesday, March 13, 2019 1:56 PM  
**To:** Nelson, Jeff; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O.; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; Richard Whitt; robsmith@mvalaw.com; Scott Elliott; sferguson@selcsc.org; sroberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky; Grube-Lybarker, Carri; Hamm, Steven; Hammonds, Lessie; hasala@ieee.org; Pittman, Jenny; Heather Smith  
**Cc:** PSC\_Legal Department; PSC\_Technical Advisory; PSC\_Commissioners; Duke, Daphne  
**Subject:** Re: ORS Motion re Grid Improvement Plan

Jeff, I just discussed this with the Chairman, and he has authorized the issuance of a Standing Hearing Officer Directive approving and adopting the stipulation on behalf of the Commission, since this is a procedural matter, and because it is time sensitive. I am out of the office at the moment, but I will issue the directive later this afternoon.

Randall

Randall Dong  
 Staff Counsel  
 Public Service Commission of South Carolina

Sent from my iPhone

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**From:** Nelson, Jeff <jnelson@ors.sc.gov>  
**Sent:** Wednesday, March 13, 2019 1:20 PM  
**To:** Dong, Randall; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O.; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; Richard Whitt; robsmith@mvalaw.com; Scott Elliott; sferguson@selcsc.org; sroberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky; Grube-Lybarker, Carri; Hamm, Steven; Hammonds, Lessie; hasala@ieee.org; Pittman, Jenny; Heather Smith  
**Cc:** PSC\_Legal Department; PSC\_Technical Advisory; PSC\_Commissioners; Duke, Daphne  
**Subject:** RE: ORS Motion re Grid Improvement Plan

Randall,  
 Is it possible that the Commission will rule to accept the DEC Stipulation prior to the start of the merits hearing – such as at tomorrows night hearing?  
 Jeff Nelson

*Jeffrey M. Nelson*  
 Chief Legal Officer  
 S. C. Office of Regulatory Staff  
 1401 Main Street, Suite 900  
 Columbia, SC 29201  
 (803) 737-0823

**RECEIVED**  
**MAR 13 2019**  
 PSC SC  
 MAIL / DMS

Although the Stipulation was unique to DEC, we do not have any objection to the same terms and conditions of the Stipulation applying to the DEP case should it please the Commission.

Heather

**From:** Dong, Randall [<mailto:Randall.Dong@psc.sc.gov>]

**Sent:** Wednesday, March 13, 2019 11:31 AM

**To:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>; [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
**Cc:** PSC\_Legal Department <[PSC\\_LegalDepartment@bcbad.state.sc.us](mailto:PSC_LegalDepartment@bcbad.state.sc.us)>; PSC\_Technical Advisory <[psctechnicaladvisory@psc.sc.gov](mailto:psctechnicaladvisory@psc.sc.gov)>; PSC\_Commissioners <[psccommissioners@psc.sc.gov](mailto:psccommissioners@psc.sc.gov)>; Duke, Daphne <[Daphne.Duke@psc.sc.gov](mailto:Daphne.Duke@psc.sc.gov)>  
**Subject:** RE: ORS Motion re Grid Improvement Plan

Dear Heather:

I notice that the stipulation has been captioned for the DEC case. ORS's motion was captioned for both DEC and DEP. Please clarify for the benefit of all whether the parties intend the stipulation to apply only to DEC or both to DEC and DEP. Thank you.

--Randall

**From:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>

**Sent:** Wednesday, March 13, 2019 10:10 AM

**To:** Dong, Randall <[Randall.Dong@psc.sc.gov](mailto:Randall.Dong@psc.sc.gov)>; [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
**Cc:** PSC\_Legal Department <[PSC\\_LegalDepartment@bcbad.state.sc.us](mailto:PSC_LegalDepartment@bcbad.state.sc.us)>; PSC\_Technical Advisory <[psctechnicaladvisory@psc.sc.gov](mailto:psctechnicaladvisory@psc.sc.gov)>; PSC\_Commissioners <[psccommissioners@psc.sc.gov](mailto:psccommissioners@psc.sc.gov)>; Duke, Daphne <[Daphne.Duke@psc.sc.gov](mailto:Daphne.Duke@psc.sc.gov)>  
**Subject:** RE: ORS Motion re Grid Improvement Plan

Duke believes this Stipulation, if accepted by the Commission, would greatly shorten the hearing and eliminate a significant amount of cross examination, while still allowing the conversations and evaluation of the Grid Improvement Plan to continue in another docket. However, Duke is concerned about withdrawing the proposal and voluminous testimony and exhibits absent a Commission order. Perhaps that could be facilitated if it was clear to have it officially noted if any party objects to the Stipulation.

For example, if no party objected, a significant amount of testimony from a variety of Duke witnesses would no longer be applicable—same goes for a significant amount of testimony from other parties responding to our proposal in this docket as well as the ORS. For example, if approved (or at least not contested), then Duke would not have cross

examination, for example, SBA Witnesses Davis and Villareal, and their testimony would be moved to the new docket and they would not have to appear.

**From:** Dong, Randall [<mailto:Randall.Dong@psc.sc.gov>]

**Sent:** Wednesday, March 13, 2019 9:43 AM

**To:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>; [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
**Cc:** PSC\_Legal Department <[PSC\\_LegalDepartment@bcbad.state.sc.us](mailto:PSC_LegalDepartment@bcbad.state.sc.us)>; PSC\_Technical Advisory <[psctechnicaladvisory@psc.sc.gov](mailto:psctechnicaladvisory@psc.sc.gov)>; PSC\_Commissioners <[psccommissioners@psc.sc.gov](mailto:psccommissioners@psc.sc.gov)>; Duke, Daphne <[Daphne.Duke@psc.sc.gov](mailto:Daphne.Duke@psc.sc.gov)>

**Subject:** RE: ORS Motion re Grid Improvement Plan

Dear Parties and Counsel:

Late yesterday afternoon, we received the executed stipulation as to the creation of a separate docket for the Grid Improvement Plan. Please advise us at your earliest convenience of any resulting modifications of witness lists and panel groupings and whether you expect to file amended testimony. Thanks for your continued cooperation.

Randall Dong

**From:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>

**Sent:** Monday, March 11, 2019 11:35 AM

**To:** Dong, Randall <[Randall.Dong@psc.sc.gov](mailto:Randall.Dong@psc.sc.gov)>; [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
**Cc:** PSC\_Legal Department <[PSC\\_LegalDepartment@bcbad.state.sc.us](mailto:PSC_LegalDepartment@bcbad.state.sc.us)>; PSC\_Technical Advisory <[psctechnicaladvisory@psc.sc.gov](mailto:psctechnicaladvisory@psc.sc.gov)>; PSC\_Commissioners <[psccommissioners@psc.sc.gov](mailto:psccommissioners@psc.sc.gov)>; Duke, Daphne <[Daphne.Duke@psc.sc.gov](mailto:Daphne.Duke@psc.sc.gov)>

**Subject:** RE: ORS Motion re Grid Improvement Plan

Dear Mr. Dong:

We are in receipt of the ORS motion and our immediate reaction was to oppose and we are working on formal written response to that effect (which would be filed). Nonetheless, given the concerns below about the hearing, the Company is in the process of contacting parties, particularly in Docket No 2018-319 since it is more pressing in terms of deadlines, to see if we can reach a constructive solution as to a separate docket and plan to report back to you as to where things stand by Wednesday morning.

Heather

**From:** Dong, Randall [<mailto:Randall.Dong@psc.sc.gov>]

**Sent:** Saturday, March 9, 2019 2:33 PM

**To:** [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>; Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
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**Subject:** ORS Motion re Grid Improvement Plan

**\*\*\* Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\***

Dear Counsel:

At or around 4:00 PM on Friday, the Office of Regulatory Staff filed and served its Motion to Establish a New and Separate Hearing Docket to Review and Consider the Companies' Grid Improvement Plan, along with supporting exhibits. If granted, this motion could substantially change the length and substance of the merits hearings in both Dockets No. 2018-318-E and 2018-319-E.

Since the merits hearing in Docket No. 319-E (DEC) is scheduled to begin March 21, time is of the essence, and speedy resolution of the motion is in the interest of the parties and the Commission.

Accordingly, on behalf of the Commission, I am requesting that the parties inform me by email by noon on Monday, March 11 whether they have formulated a position with regard to the motion and/or whether they wish to be heard on any issues of disagreement. If the parties believe that a conference call would be helpful, one can be arranged.

Thanks for your prompt attention to this matter.

Randall Dong  
Staff Counsel  
Public Service Commission of South Carolina



**Duke, Daphne**

**From:** Stinson W. Ferguson <sferguson@selcsc.org>  
**Sent:** Wednesday, March 13, 2019 11:24 AM  
**To:** Dong, Randall; Heather Smith; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O.; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; Richard Whitt; robsmith@mvalaw.com; Scott Elliott; sproberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky; Grube-Lybarker, Carri; Hamm, Steven; Hammonds, Lessie; hasala@ieee.org; Nelson, Jeff; Pittman, Jenny  
**Cc:** PSC\_Legal Department; PSC\_Technical Advisory; PSC\_Commissioners; Duke, Daphne; Phil Riley  
**Subject:** RE: ORS Motion re Grid Improvement Plan

Good morning, Randall:

SC NAACP, SC Coastal Conservation League, and Upstate Forever do not object to the stipulation being approved or adopted by the Commission.

Thank you,

Stinson

**Stinson W. Ferguson**

Associate Attorney | Southern Environmental Law Center  
 463 King Street, Suite B | Charleston, SC 29403-7204  
 Tel: 843-720-5270  
[www.southernenvironment.org](http://www.southernenvironment.org)

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**From:** Dong, Randall [mailto:Randall.Dong@psc.sc.gov]  
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**To:** Heather Smith; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O.; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; Richard Whitt; robsmith@mvalaw.com; Scott Elliott; Stinson W. Ferguson; sproberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky; Grube-Lybarker, Carri; Hamm, Steven; Hammonds, Lessie; hasala@ieee.org; Nelson, Jeff; Pittman, Jenny  
**Cc:** PSC\_Legal Department; PSC\_Technical Advisory; PSC\_Commissioners; Duke, Daphne; Phil Riley  
**Subject:** RE: ORS Motion re Grid Improvement Plan

Thanks, Heather, for your speedy response. I would ask the parties to review the stipulation and advise me whether they have any objection to the stipulation being approved or adopted by the Commission at their earliest convenience. Thanks for your continued cooperation. --Randall

**From:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>  
**Sent:** Wednesday, March 13, 2019 10:10 AM  
**To:** Dong, Randall <[Randall.Dong@psc.sc.gov](mailto:Randall.Dong@psc.sc.gov)>; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>

**Duke, Daphne**

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**From:** Carrie Schurg <caschurg@AustinRogersPA.com>  
**Sent:** Wednesday, March 13, 2019 10:59 AM  
**To:** Dong, Randall  
**Cc:** PSC\_Legal Department; PSC\_Technical Advisory; PSC\_Commissioners; Duke, Daphne; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; camal.robinson@duke-energy.com; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Heather Smith; john.burnett@duke-energy.com; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; robsmith@mvalaw.com; Scott Elliott; sferguson@selcsc.org; sroberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky; Grube-Lybarker, Carri; Hamm, Steven; Hammonds, Lessie; hasala@ieee.org; Nelson, Jeff; Pittman, Jenny; Richard Whitt  
**Subject:** ORS Motion re Grid Improvement Plan Docket 2018-319-E

This email was dictated by Richard Whitt:

Randall:

1. I write to you on behalf of my clients, the South Carolina Solar Business Alliance, Inc., ("SBA") and Cypress Creek Renewables, LLC ("CCR"), both approved by this Commission as Intervenor in this Docket. My clients have no objection to the Stipulation between the South Carolina Office of Regulatory Staff and Duke Energy Carolinas, LLC, e-filed with this Commission on March 12, 2019. And furthermore, we support the Stipulation being approved or adopted by the Commission, at the Commission's earliest convenience.
2. Heather Smith's email to you this morning is timely. This email will confirm that both of my clients, after the Commission's approval or adoption of the Stipulation, ask that, consistent with the Stipulation, the previously prefiled Direct Testimony of Hamilton Davis and the prefiled Direct Testimony of Christopher Villarreal be moved to the new Docket to be created. Also, that SBA and CCR be automatically granted Intervenor status in the new Docket to be created, also consistent with the Stipulation. Finally, my clients' agreement with the Stipulation is expressly based on all of the rights/conditions set forth in the Stipulation.
3. Accordingly, and also after this Commission's approval or adoption of the Stipulation, SBA and CCR will no longer actively participate in Docket 2018-319-E.
4. Please let me know if you require any additional information and my clients and I appreciate everyone's cooperation and your kind assistance.

Regards,  
 Richard Whitt,  
 As Counsel for the South Carolina Solar Business Alliance, Inc., and  
 Cypress Creek Renewables, LLC.

**From:** "Smith, Heather Shirley" <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>  
**Date:** March 13, 2019 at 10:09:34 AM EDT  
**To:** "Dong, Randall" <[Randall.Dong@psc.sc.gov](mailto:Randall.Dong@psc.sc.gov)>, "[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)" <[bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com)>, "[bguild@mindspring.com](mailto:bguild@mindspring.com)" <[bguild@mindspring.com](mailto:bguild@mindspring.com)>,

**Duke, Daphne**

**From:** Scott Elliott <sellott@elliottlaw.us>  
**Sent:** Wednesday, March 13, 2019 10:33 AM  
**To:** Dong, Randall; Heather Smith; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O.; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; Richard Whitt; robsmith@mvalaw.com; Scott Elliott; sferguson@selcsc.org; sroberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky; Grube-Lybarker, Carri; Hamm, Steven; Hammonds, Lessie; hasala@ieee.org; Nelson, Jeff; Pittman, Jenny  
**Cc:** PSC\_Legal Department; PSC\_Technical Advisory; PSC\_Commissioners; Duke, Daphne  
**Subject:** RE: ORS Motion re Grid Improvement Plan

Mr. Dong,

To the extent the stipulation between Duke Energy Carolinas and the ORS preserves the intervenors' rights to contest the recovery of all the GIP related costs and return, if any, on recovery of these costs in a future proceeding, SCEUC supports the stipulation.

Scott Elliott, Esquire  
 Elliott & Elliott, P.A.  
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**From:** Dong, Randall <Randall.Dong@psc.sc.gov>  
**Sent:** Wednesday, March 13, 2019 9:43 AM  
**To:** Heather Smith <heather.smith@duke-energy.com>; bdurant@sowelldurant.com; bguild@mindspring.com; brandon.marzo@troutman.com; Robinson, Camal O. <Camal.Robinson@duke-energy.com>; charris@spilmanlaw.com; dwilliamson@spilmanlaw.com; fellerbe@robinsongray.com; gas@smxblaw.com; Burnett, John T <John.Burnett@duke-energy.com>; len.anthony1@gmail.com; mkl@smxblaw.com; molly.jagannathan@troutman.com; Richard Whitt <rlwhitt@austinrogerspa.com>; robsmith@mvalaw.com; Scott Elliott <sellott@elliottlaw.us>; sferguson@selcsc.org; sroberts@spilmanlaw.com; thad@votesolar.org; alex@shissiaslawfirm.com; Dover, Becky <BDover@scconsumer.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Hamm, Steven <shamm@ors.sc.gov>; Hammonds, Lessie <lhammonds@ors.sc.gov>; hasala@ieee.org; Nelson, Jeff <jnelson@ors.sc.gov>; Pittman, Jenny <jpittman@ors.sc.gov>  
**Cc:** PSC\_Legal Department <PSC\_LegalDepartment@bcbad.state.sc.us>; PSC\_Technical Advisory



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Cc: PSC\_Legal Department <[PSC\\_LegalDepartment@bcbad.state.sc.us](mailto:PSC_LegalDepartment@bcbad.state.sc.us)>; PSC\_Technical Advisory <[psctechnicaladvisory@psc.sc.gov](mailto:psctechnicaladvisory@psc.sc.gov)>; PSC\_Commissioners <[psccommissioners@psc.sc.gov](mailto:psccommissioners@psc.sc.gov)>; Duke, Daphne <[Daphne.Duke@psc.sc.gov](mailto:Daphne.Duke@psc.sc.gov)>

**Subject:** RE: ORS Motion re Grid Improvement Plan

Duke believes this Stipulation, if accepted by the Commission, would greatly shorten the hearing and eliminate a significant amount of cross examination, while still allowing the conversations and evaluation of the Grid Improvement Plan to continue in another docket. However, Duke is concerned about withdrawing the proposal and voluminous testimony and exhibits absent a Commission order. Perhaps that could be facilitated if it was clear to have it officially noted if any party objects to the Stipulation.

For example, if no party objected, a significant amount of testimony from a variety of Duke witnesses would no longer be applicable—same goes for a significant amount of testimony from other parties responding to our proposal in this docket as well as the ORS. For example, if approved (or at least not contested), then Duke would not have cross examination, for example, SBA Witnesses Davis and Villareal, and their testimony would be moved to the new docket and they would not have to appear.

**From:** Dong, Randall <<mailto:Randall.Dong@psc.sc.gov>>

**Sent:** Wednesday, March 13, 2019 9:43 AM

**To:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>; [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
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**Subject:** RE: ORS Motion re Grid Improvement Plan

Dear Parties and Counsel:

Late yesterday afternoon, we received the executed stipulation as to the creation of a separate docket for the Grid Improvement Plan. Please advise us at your earliest convenience of any resulting modifications of witness lists and panel groupings and whether you expect to file amended testimony. Thanks for your continued cooperation.

Randall Dong

**From:** Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>

**Sent:** Monday, March 11, 2019 11:35 AM

**To:** Dong, Randall <[Randall.Dong@psc.sc.gov](mailto:Randall.Dong@psc.sc.gov)>; [bdurant@sowelldurant.com](mailto:bdurant@sowelldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt

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**Subject:** RE: ORS Motion re Grid Improvement Plan

Dear Mr. Dong:

We are in receipt of the ORS motion and our immediate reaction was to oppose and we are working on formal written response to that effect (which would be filed). Nonetheless, given the concerns below about the hearing, the Company is in the process of contacting parties, particularly in Docket No 2018-319 since it is more pressing in terms of deadlines, to see if we can reach a constructive solution as to a separate docket and plan to report back to you as to where things stand by Wednesday morning.

Heather

**From:** Dong, Randall [<mailto:Randall.Dong@psc.sc.gov>]  
**Sent:** Saturday, March 9, 2019 2:33 PM  
**To:** [bdurant@sowellldurant.com](mailto:bdurant@sowellldurant.com); [bguild@mindspring.com](mailto:bguild@mindspring.com); [brandon.marzo@troutman.com](mailto:brandon.marzo@troutman.com); Robinson, Camal O. <[Camal.Robinson@duke-energy.com](mailto:Camal.Robinson@duke-energy.com)>; [charris@spilmanlaw.com](mailto:charris@spilmanlaw.com); [dwilliamson@spilmanlaw.com](mailto:dwilliamson@spilmanlaw.com); [fellerbe@robinsongray.com](mailto:fellerbe@robinsongray.com); [gas@smxblaw.com](mailto:gas@smxblaw.com); Smith, Heather Shirley <[Heather.Smith@duke-energy.com](mailto:Heather.Smith@duke-energy.com)>; Burnett, John T <[John.Burnett@duke-energy.com](mailto:John.Burnett@duke-energy.com)>; [len.anthony1@gmail.com](mailto:len.anthony1@gmail.com); [mkl@smxblaw.com](mailto:mkl@smxblaw.com); [molly.jagannathan@troutman.com](mailto:molly.jagannathan@troutman.com); Richard Whitt <[rlwhitt@austinrogerspa.com](mailto:rlwhitt@austinrogerspa.com)>; [robsmith@mvalaw.com](mailto:robsmith@mvalaw.com); Scott Elliott <[selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)>; [sferguson@selcsc.org](mailto:sferguson@selcsc.org); [sroberts@spilmanlaw.com](mailto:sroberts@spilmanlaw.com); [thad@votesolar.org](mailto:thad@votesolar.org); [alex@shissiaslawfirm.com](mailto:alex@shissiaslawfirm.com); Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>; Hamm, Steven <[shamm@ors.sc.gov](mailto:shamm@ors.sc.gov)>; Hammonds, Lessie <[lhammonds@ors.sc.gov](mailto:lhammonds@ors.sc.gov)>; [hasala@ieee.org](mailto:hasala@ieee.org); Nelson, Jeff <[jnelson@ors.sc.gov](mailto:jnelson@ors.sc.gov)>; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>  
Cc: PSC\_Legal Department <[PSC\\_LegalDepartment@bcbad.state.sc.us](mailto:PSC_LegalDepartment@bcbad.state.sc.us)>; PSC\_Technical Advisory <[psctechnicaladvisory@psc.sc.gov](mailto:psctechnicaladvisory@psc.sc.gov)>; PSC\_Commissioners <[psccommissioners@psc.sc.gov](mailto:psccommissioners@psc.sc.gov)>; Duke, Daphne <[Daphne.Duke@psc.sc.gov](mailto:Daphne.Duke@psc.sc.gov)>  
**Subject:** ORS Motion re Grid Improvement Plan

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Dear Counsel:

At or around 4:00 PM on Friday, the Office of Regulatory Staff filed and served its Motion to Establish a New and Separate Hearing Docket to Review and Consider the Companies' Grid Improvement Plan, along with

supporting exhibits. If granted, this motion could substantially change the length and substance of the merits hearings in both Dockets No. 2018-318-E and 2018-319-E.

Since the merits hearing in Docket No. 319-E (DEC) is scheduled to begin March 21, time is of the essence, and speedy resolution of the motion is in the interest of the parties and the Commission.

Accordingly, on behalf of the Commission, I am requesting that the parties inform me by email by noon on Monday, March 11 whether they have formulated a position with regard to the motion and/or whether they wish to be heard on any issues of disagreement. If the parties believe that a conference call would be helpful, one can be arranged.

Thanks for your prompt attention to this matter.

Randall Dong

Staff Counsel

Public Service Commission of South Carolina